

DECISION RECORD
DESATOYA RESTORATION PHASE OF THE
DESATOYA MOUNTAINS HABITAT RESILIENCY, HEALTH, AND RESTORATION
PROJECT
CHURHILL AND LANDER COUNTY, NEVADA

Environmental Assessment
DOI-BLM-NV-C010-2011-0513-EA
Desatoya Mountains Habitat Resiliency, Health, and Restoration Project

BACKGROUND

The Bureau of Land Management (BLM) Stillwater Field Office (SFO) is proposing to implement a landscape-scale, multi-year habitat restoration and maintenance project that is projected to span over the next 10 years located on public lands in Churchill and Lander County, Nevada. The project area encompasses approximately 230,000 acres, which includes about 6% of the Clan Alpine grazing allotment (~23,400 acres) and about 99% of the Porter Canyon and Edwards Creek grazing allotments (~206,600 acres). Additionally, 192,755 acres of the Desatoya sage-grouse population management unit (PMU) (38% of the PMU), 3,091 acres of the Reese River PMU (0.2% of the PMU), 136,400 acres of the Desatoya Herd Management Area (HMA) (84% of the HMA), and 34,195 acres of the Desatoya Wilderness Study Area (WSA) (67% of the WSA) are within the project boundary. The landscape project area also includes some parcels of private lands.

The Proposed Action, excluding wild horse removal, evaluated under Environmental Assessment (EA) DOI-BLM-NV-C010-2011-0513 (pages 12-17, 20-22) is for up to 32,705 acres of ground disturbing treatments over a ten year period including pinyon/juniper (PJ) removal and thinning; wet meadow and spring rehabilitation/protection (includes fencing, pipelines, and troughs); rabbitbrush control using mowing followed by herbicide treatment and reseeding; and a site-specific fuels treatment utilizing prescribed fire, herbicide, and seeding. Additionally, researchers at the University of Nevada Reno (UNR) have set up a long term experimental watershed on private land within Porter Canyon to measure the hydrologic changes associated with PJ removal. Portions of the UNR experiment would be expanded to BLM lands within Porter and Dalton Canyons.

The restoration components of the Proposed Action are consistent with the Carson City Consolidated Resource Management Plan (CRMP). The Proposed Action is a site-specific action located on public lands administered by the BLM Carson City District Office (CCDO). The restoration actions have been planned in collaboration and partnership with the Nevada Division of Wildlife (NDOW), the University of Nevada Reno, the US Department of Agriculture (ARS & NRCS), Great Basin Bird Observatory, U.S. Geological Survey, and Smith Creek Ranch LLC, as well as taking into account input from the interested public and users of public lands.

The potential environmental impacts from the restoration components of the Proposed Action and No Action alternative were evaluated in the Environmental Assessment (EA) DOI-BLM-NV-C010-2011-0513-EA. Based on the analysis of potential environmental impacts detailed in

the EA, it was determined that the impacts associated with the Proposed Action for the restoration components were not significant. This is documented in the attached Finding of No Significant Impact (FONSI).

DECISION

Based on the analysis in the Desatoya Mountains Habitat Resiliency, Health, and Restoration Project DOI-BLM-NV-C010-2011-0513-EA, it is my decision to implement the restoration components of the Proposed Action effective immediately pursuant to 43 CFR § 4770.3(c). However, the final EA no longer contains an action to remove decadent sagebrush through mechanical means.

AUTHORITY

The restoration components of the Proposed Action are in conformance with the Federal Land Policy and Management Act (FLPMA) of 1976, the CRMP adopted in 2001 and with current BLM policies, plans, and programs. The Proposed Action is consistent in relationship to statutes, regulations, and policies of neighboring local, county, State, tribal governments and other federal agencies.

PUBLIC INVOLVMENT

The EA was made available for public review and comment on March 5, 2012. Letters to 41 individuals and organizations that included the CCDO Wild Horse and Burro Program mailing list, two Tribes, and agencies, were mailed. Notification of the availability of the EA to 33 other State and Federal offices was made through the Nevada State Clearinghouse. The CCDO published a news release that was sent to media outlets listed on the Nevada BLM State Office media list. The comment period closed on April 4, 2012, although comments received after this date were also considered. The EA was made available by hard copy at the CCDO, and on the website at:

http://www.blm.gov/nv/st/en/fo/carson_city_field/blm_information/nep_a.html.

Additionally, an email invitation was sent out on May 12, 2012 for a site visit that was conducted to the project area on May 31, 2012 to over 3900 individuals who had submitted comments by email during the public comment period. Three members of the public participated.

Comment letters from the public, organizations, and agencies were received by email, fax, and mail delivery. All comments were reviewed and considered. A summary of the consolidated public comments and BLM responses are noted in Appendix H of the Final EA. Several minor changes were made to the content of the Final EA clarifying and/or enhancing the effects analysis and removing the sagebrush treatment component of the Proposed Action.

RATIONALE

Upon analyzing the impacts of the restoration components of the Proposed Action and following issuance of the EA for public review, I have determined that implementing the Proposed Action will not have a significant impact to the human environment and that an environmental impact statement is not required. Refer to the attached finding of No Significant Impact (FONSI).

The primary purpose of the Proposed Action is to improve availability, quantity, and quality of sagebrush, woodland, and wet meadow/riparian habitats that multiple wildlife species, wild horses, and livestock depend on.

In March 2010, the USFWS published the 12 month findings for petitions to list the greater sage-grouse under the Endangered Species Act (1964) (ESA)). In these findings, greater sage-grouse (*Centrocercus urophasianus*) were found to be warranted but precluded by higher priority listing actions. Sage-grouse are currently a BLM designated Sensitive Species. BLM Manual 6840 (Special Status Species Management) directs the BLM to improve the condition of habitat as well as mitigating, minimizing, or eliminating threats affecting the status of BLM Sensitive Species in order to avoid full listing under the ESA.

There is a need to decrease density of PJ that has been identified as a primary factor in mule deer population declines as well as several woodland dependent bird species. Increasing density and encroachment is also degrading springs/wet meadows in mule deer habitat and aspen stands in riparian areas within the project area.

Within portions of the project area, wildland fire has not been allowed to exhibit the long-term natural role of creating a diverse vegetation community, which has led to an increased risk of detrimental fire effects to natural plant communities. Encroaching PJ is affecting the density, patch size, and health and vigor of sagebrush and woodland vegetation communities by crowding out the understory plant components necessary for wildlife that depend on these habitats.

APPROVAL

The restoration components of the Environmental Assessment DOI-BLM-NV-C010-2011-0513-EA are approved for implementation as described in the Proposed Action.


Teresa J. Knutson,

Manager
Stillwater Field Office


Date

APPEAL PROCEDURES

If you wish to appeal this decision, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Teresa J. Knutson, Stillwater Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal.

Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, therefore they will not be accepted.